The Klondike Nugget

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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, Hunker, Dominion, Gold Run, Sulphur.

WEDNESDAY, JUNE 3, 1903.

SHOULD STUDY THE CONCESSION.

It is quite apparent that the Sun is not familiar with the provisions of the amended order in council of April 21, 1902. Otherwise we would be forced to the conculsion that our contemporary wilfully seeks to misrepresent the facts as contained in that document.

As the Nugget dislikes to believe that the Sun would be guilty of such an indiscretion, we are compelled to conclude that the morning paper, in spite of its suggestive name, is lacking in light upon a most important subject. As it is a part of the mission of this paper to impart information to those who are earnestly seeking for truth, we feel called upon to impart to our erring contemporary certain of the facts which appertain to the famous order in council.

Under the terms and provisions of the amended grants to Treadgold and associates the syndicate is given the sole right to take water from the Klondike river for power purposes and need not exercise that right for a period of five years to come.

There are granted a prior right to divert water for purposes of distribution over the creeks without any stipulation as to minimum and maximum price. The said water is always to remain the property of the concessionaires no matter where it may happen to find itself. Seepage which may creep down into the creeks will still belong to Treadgold and may be carried away in buckets or otherwise as the concessionaires may elect.

The further right subject to no payment except the royalty (there is no royalty) to make entry for and work any abandoned claims on Bonanza, Bear and Hunker creeks—this privilege, however, to be contingent upon the construction of their water system.

That is to say, when Treadgold's system is in operation, he becomes master of all abandoned ground on the creeks named without payment of a dollar.

All he will need to do is to wait the process of time until every claim that he may desire to possess will pass into his hands.

The power thus given to the concessionaires is practically illimitable. Not only will they hold a monopoly of the water supply, but they likewise propose to become competitors with every individual mining operator in the district. With Treadgold's scheme in operation his ability to "squeeze" out the small hill or bench miner would be bounded only by the concessionaire's desires.

These points are not altogether new to the public, but they must be new to the Sun. Otherwise our contemporary would not have delivered itself of the editorial dealing with the Treadgold matter which appeared in its columns this morning. We suggest to our contemporary that a thorough study of the amended order in council would be quite in order before any further dissertations upon the subject are attempted.

POLITICAL OUTLOOK.

The Yukon political horizon, now somewhat obscured and hazy, would undergo immediate clarification upon the announcement that a general election is to occur in the fall.

Close friendships cemented by ties apparently indissoluble would crack and sever almost in an instant. When there are no offices in sight and nothing to be gained by fierce animosities the display of brotherly affection manifest among local politicians furnishes a spectacle fit for gods and men. But once let the sound of preliminary political skirmishes be heard in the land and presto—all will be changed.

Daggers now concealed and rusting would be drawn forth and burnished to the brightness of a mirror. Friendships would cease instanter, and confidences exchanged in moments of mutual admiration woulh become as mere nothings.

Lines which apparently have no existence at present would be drawn tout and the peaceful aspect of affairs would be subject to instantaneous change.

However, until the first war cry is let loose it may be expected that all will remain peaceful and quiet and that brotherly kindness will still prevail.

OTHER CONCESSIONS.

Attention is again drawn to the important fact that the commission appointed to investigate the Treadgold concession is empowered also to examine closely into the other concessions which have been obtained through various processes in the territory.

Equal attention should be given to the work of enlightening the commission upon the latter as upon the former.

No difficulty should be met in proving to the satisfaction of the commission the fact that much of the ground now blanketed by concessions was fraudulently obtained or at least through perversion or misrepresentation of facts.

It can be shown that within the limits of, and adjoining a number of these concessions, numerous claims are now in process of development by ordinary placer methods and yielding handsome returns to their owners.

All the facts should be secured and placed in readiness to bring before the commission to the end that every concessionaire who has obtained his grant wrongfully or who has not complied with the express provisions of the regulations may be forced to return his ill gotten holdings to the people.

Freight Blockade

Some idea of the magnitude of the congestion which has interfered with the freight traffic of the leading railroads can be gathered from the information given in the dispatches from Pittsburg, telling of the efforts of the railroads centering in that city to clear their terminals of accumulated cars, of late, reports the Cleveland Leader.

According to the figures given there were moved in and out of Pittsburg in a single day on five different roads, a total of 927 trains, consisting of 46,225 cars, with an estimated freight tonnage of 1,756,550 tons. This resulted in relieving the blockade temporarily, but it is said that all sidetracks within 30 miles of Pittsburg are yet filled with cars destined to that city, and when these are moved there will be a renewal of the congestion.

It seems almost incredible that so much work could have been done in the freight yards of a single city in one day. Some of the largest freight cars are 60 feet in length. If the average length of these cars were 35 feet, all of them put together would have made a train 1,517,875 feet, or more than 287 miles, in length. This means that the average length of the 927 trains moved was almost a third of a mile.

Customer—What have you got in the shape of pork chops today?

Butcher—Well, we've got mutton chops. They're pretty near that shape.—Philadelphia Press.

NEW TRIAL IS ORDERED

Sent Back to Gold Commissioner's Court

Decision in the Appeal Case of Woodworth vs. Backe et al.

In the case of Charles M. Woodworth vs Julia Backe et al heard on appeal some weeks ago by the court of appeal, Mr. Justice Macaulay rendered the judgment day before yesterday holding that the case should be sent back to the gold commissioner's court for a new trial, an opinion that was concurred in by both Mr. Justice Dugas and Mr. Justice Craig. The action is one that was originally brought in the gold commissioner's court. The plaintiff is the owner of creek claims 7 and 8 below discovery on Eighty pup, a tributary of Hunker, while the defendants are the owners of a bench claim adjoining. It is alleged by him that a survey made by Adam Fawcett to establish the boundaries of the bench claim includes a portion of his creek claims and that the defendants are now sinking shafts and working on the ground in dispute. In his statement of claim the plaintiff asks for various remedies—the cancellation of the defendants' grant, the setting aside of the plan of survey, declarations as to boundaries, an injunction, etc. Mr. Justice Craig in his judgment says:

"I have had the benefit of reading the judgment of my brother Macaulay on this matter, and I generally concur in his findings and the reasoning which leads to his conclusions, but will just add a very little on my own view of the matter. It is very hard to tell what the plaintiff is driving at in his action. He, it seems to me, from the whole case, should have sued in trespass and left it to the defendants to justify under their survey, that is, to set up the survey as having established the boundaries of the claims. The mixing up of the survey with other questions complicates matters and confuses the real issue. The defendants of course claim that the survey and publication limited the boundaries according to the Fawcett plan, and that this is the real question to be decided. The plan in question was prepared before the order-in-council of March 2nd, 1900, and was not published until July, 1901. Under the order-in-council of March 2nd, it was provided that surveys of claims already made by a dominion land surveyor, if approved by the commissioner and after notice of survey being advertised, should define the boundaries of the claim surveyed. Under that order it was open to the party making the survey of his claim to advertise and get the benefit of that order-in-council. Nothing was done while that order-in-council was current and law. No action was taken until the regulations of March, 1901, came into force, which were substituted for all former regulations. Therefore, the regulation of March, 1900, was abolished, and parties who had failed to take the benefit of it while in force could not invoke it after March, 1901.

"I agree with Mr. Justice Macaulay that the making of the plan by Fawcett not under the direction of the commissioner, was not such a proceeding in the matter as could be continued under the section of the interpretation act cited by the defence, namely section 49. I think that the plan has no more force and effect than any other document or plan prepared by an owner of a claim for his own convenience, and only became a proceeding unher the regulations when it received the approval of the commissioner, which approval, if they desired to get the benefit of the order-in-council of March, 1900, should have been given while that order was current and law. That not being done, they presume to proceed under the regulations of 1901 and it is admitted that those regulations have not been complied with. I think it is beyond question that if the statute is relied upon to justify any act or to give any person any peculiar advantage the provisions of the statute must be strictly complied with. It is not argued that the provisions of the existing statute or regulations have been complied with. Therefore, I think the survey is not a complete one and does not delimit under the regulations the boundaries of the defendants' claim. The plaintiff is seeking to set aside that plan. I do not think he has any status whatever to take any such action. He might have taken this action during the period limited by the regulations, and he could then have raised all the questions which he is now raising as to the regularity of the survey. He did not do that, and I do not think his protest, so far as it affects the survey and the cancellation of it, should have been taken. The survey was either good or bad long before he took any action; if it was bad and did not comply with the requirements of the regulations it was no defence that it did not limit the boundaries. As I said before, the action should have been for trespass upon his ground and he should have left it to the defendants to have defended under their survey if they wished to rely upon that. The principal question for me to determine is what should be done now with the matter. It is not necessary to decide many of the other questions raised by the parties or to consider the mass of decisions which they cited. Some of the questions are no doubt interesting, and I might here remark in passing that I think too much looseness is shown in preparing these plans. The surveys should be so made and the plans so marked for publication and posting that the owners of adjoining claims can tell at once that their properties are affected by them; that any one can take the plans and from their scales and by examining them determine at once in what respect their properties are affected by them. The advertisements should also be fuller so that there may be no doubt as to what property applies.

"This action should be sent back to the gold commissioner for a trial upon the question of trespass as in an ordinary action the plaintiff asks that the boundaries be defined. It is impossible under the regulations existing when this claim was staked to define any such boundaries. The court would require the omniscience of a much higher power to tell where the boundaries are when the boundary is hidden under several feet of gravel and muck. All that the court can do is to say upon the evidence whether at the particular point where the trespass is made the boundary has been overstepped, by evidence showing the exposure of rimrock. But how the court can tell on the ground or mark on the ground where rimrock is without having the whole of the rimrock exposed along the whole length of the claim I cannot comprehend. There should be no costs to either party, either of the trial in the court below or of this appeal. I consider both have proceeded in an entirely wrong way."

Defense of the Onion

The onion is one of those strenuous vegetables about which one cannot be indifferent. One either yearns for it with a passionate longing or else utterly repudiates it and everybody who has any trafficking with it.

If one never had to take one's onions at second hand it would not be so bad. If the law would only set apart one day a week for the consumption of onions and forbid it, under penalty of fine and imprisonment — preferably imprisonment — at all other times it would be a boon to the world. The onion hater would at least know when to take to the woods and how long to stay there, says the Providence Journal.

As for banishing the onion from the kitchen, that would be a crime. There have been poets who sung its praises but perhaps some of the prose rhapsodies are just as eloquent. For instance, if you want to crush your neighbor who regards your dish of onions with a supercilious eye just ask him if he knows that the onion is called "the rose among the roots."

Ask him if he knows that "without it there would be no gastronomic art"; that "its presence lends color and enchantment to the modest dish, its absence reduces the rarest dainty to hopeless insipidity and the diner to despair."

It is quite possible that your haughty neighbor may decline to follow this hint and may show signs of not being plunged into despair pending the addition of onions to his own menu. The anti-onionist is a stiff-necked party.

The big tree recently described by the Scientific American as the largest in the world is outdone by another which has just been reported from Fresno. This newly-found tree measured six feet from the ground, is 154 feet and 8 inches in circumference, from which it follows that it is about 50 feet in diameter. Fortunately, the tree stands on the government reserve, and will therefore be spared the attack of the insatiable ax.

"Funniman has a dry sort of humor." "Yes, his jokes are enough to drive one to drink, if that's what you mean."—Town and Country.

DON'T LIKE IT AT ALL

City Council Angry at Yukon Council

Think They Were Used Badly in the Matter of Amendments to Charter Desired

Several members of the city council Monday night took a fall, figuratively speaking, out of the Yukon council and they as a body consider the territorial legislature has treated the city very badly in more ways than one. The amendments the city desired to its charter were not allowed some of the most important being killed in committee, while the others were shelved until the tail end of the session when it was too late to accomplish anything, the entire proposition being laid over until the next session of the council in July.

The matter came up on the question of Murphy as to what had been done and what was the present position of the amendments asked for by the city to its charter at the hands of the Yukon council, particularly with reference to that section which provided for the licensing of banks to the extent of $6000 each annually.

The question was directed to no one in particular, but as City Attorney Donaghy who had framed the amendments and had been present when they were brought up in committee, was on hand he gave such information as was desired. He stated that all the bills presented in behalf of the city had gone over until the next sitting of the council and that as far as getting any action on them was concerned the city was in the same position as it was before they were introduced. The provision allowing the assessment of a license fee of $6000 on the banks was stricken out while the bill was being considered in committee. That which provided for the assessment of gold dust was also stricken out. Later, it was suggested that the banks be taxed on their income, but then arose the question as to how the assessor would ascertain what that income was. Last year the assessor had asked the banks what their income was and both had positively refused to give him the desired information.

Upon the question of how to learn what the income was his worship said the only way to do was to have the assessor make it high enough and then if the banks were not satisfied they could appeal to the board of assessment. If they did that the city had the power to make them produce their books so that the income could be ascertained absolutely to a penny.

Murphy had it in for the Yukon council for their actions in the matter and he did not hesitate to say so. In regard to taxing the banks as they should be taxed somewhat in the same manner as all other merchants he complained that he had not had the support of the newspapers in that respect, when the principal be advocated was fair and just to everybody. He had called personally on the Sun and they had promised their support, but had funked and had done nothing.

His worship stated that if the Yukon council in July carried out the wishes of the committee the city would lose between $8,000 and $10,000. Macdonald thought the only thing to do was to call again on the individual members of the council and bring all the influence to bear upon them in order to secure the relief so earnestly desired. Incorporation as it now is was a farce; the appointive system was much to be preferred.

Ryan asked what taxes the Bank of Commerce had paid last year and was informed it was $5000 on income and $500 realty.

Ryan also brought up the proposed poll tax question. He thinks such a measure without a vote would be highly unpopular and it would be wrong to impose it. Five dollars of a tax is too much to compel a man to pay for the privilege of living in the city and then not allow him to vote. Murphy reminded him that nowhere else in the world were things so high as they are here, to which Ryan replied that he thought the price of the majority of things had greatly fallen within the past several years. "There is nothing keeping up in price with the exception of interest and meat," he dryly added, and everyone smiled but Murphy.

Bridgland Dead

Toronto, May 7. — Dr. Samuel Bridgland, one of the most popular members of the Ontario legislature, died yesterday evening at his home in Bracebridge of Bright's disease, after an illness of six months. Notwithstanding his failing health he was in attendance at the legislature this session up to the time of the adjournment in March. He was far from fit, however, and would have been at home had the opposition not refused to permit pairing on the opening of the house. He took alarmingly ill ten days ago, and lay in a critical condition for some days at the house of his brother-in-law, Mr. Aubrey White. He was apparently improving however, and Saturday last was able to go home to Bracebridge.

Dr. Bridgland was born in 1847, in Toronto, where his parents, natives of Kent, England, had settled two years before. They later removed to Newmarket, and it was at the grammar school of the then capital of North York that their son was educated. He studied medicine at Jefferson Medical College, Philadelphia, and graduated from Queen's university, Kingston, in 1870. He at once settled in Bracebridge, where, until his death, he continued to practise his profession, and was for many years one of the most widely known and busiest physicians in the north country. A man of broad sympathies and kindly manner he was everywhere beloved and universally popular.

As president of the Muskoka Liberal Association for many years, Dr. Bridgland was a prominent politician and at the general election of 1898 was elected to the legislature, and was again returned by a majority of 88 at the last election.

Three years after settling at Bracebridge Dr. Bridgland married Miss Emma Fraser, a daughter of Mr. Henry Fraser of Barrie, and leaves besides his widow, three daughters, all of whom are residing at home. His other surviving relatives are his father, his sister, Mrs. Aubrey White and a brother, who resided with him.

Dr. Bridgland was a member of the Church of England, and a prominent Free Mason, Past Master of the Muskoka lodge. He was known also as a curler, and the Bridgland cup has for years been an annual prize among the curlers of the north.

Mrs. Thomas Simpson, of Hoboken, daughter of Major Morton, an English army officer, has saved so many people from drowning, it is said that she has "got tired of keeping count."